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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,907	04/27/2001	Robert C. Schmidt JR.	1927.BKB	1508

7590 06/26/2003

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EXAMINER

CHEUNG, WILLIAM K

ART UNIT	PAPER NUMBER
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1713

DATE MAILED: 06/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,907

Applicant(s)

SCHMIDT ET AL.

Examiner

William K Cheung

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent-term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/14/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 11-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 14, 17, 24 and 25 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5-10, 15, 16 and 18-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. In view of Response to Restriction Requirement (Paper No. 5) filed May 22, 2003, applicants elect Group I, claims 1-10 and 14-25 without traverse. In view of lack of traversal to restriction requirement, the restriction set forth is deemed proper and is therefore made Final. Claims 1-25 are pending. Claims 11-13 are drawn to non-elected claims. Claims 1-10 and 14-25 are examined with merits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Reckziegel (US 4,984,949).

The invention of claims 1, 4 relates to a case for a hard cover book comprising a curable hot melt adhesive.

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Reckziegel (col. 4, line 28-42) disclose a case for a hard cover book comprising a moisture-curable hot melt polyurethane adhesive. Reckziegel contains all the limitation of claim 1, 4. Therefore, claims 1, 4 are anticipated.

4. Claims 14, 17, 24, 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Yang et al. (US 6,207,248 B1).

The invention of claims 14, 17 relates to a method for forming a case for a hard cover book comprising bonding cover boards for cover stock material using curable hot melt adhesive.

The invention of claims 24, 25 relates to a casemaking machine comprising a curing apparatus.

Yang et al. (col. 10, line 23-62) disclose methods and various equipments for casemaking purposes which adequately indicates that the disclosure of Yang et al. involves forming a case for a hard cover book comprising bonding cover boards for cover stock material using curable hot melt adhesive. Regarding curing apparatus, the examiner believes that the claimed "curing apparatus" or the claimed "source of moisture" features are inherently possessed by Yang et al. because Yang et al. (col. 5, line 10-14; col. 6, line 53 to col. 8, line 9) has shown that the equipment disclosed is capable of handling a reactive hot melt PUR adhesive which is also moisture-curable.

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Because Yang et al. contains all the limitations of claims 14, 17, 24, 25, claims 14, 17, 24, 25 are anticipated.

Allowable Subject Matter

5. Claims 2, 3, 5-10, 15,16, 18-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As of the date of this office action, the examiner has not located or identified any reference that can be used singularly or in combination with another reference including the closest prior art of Reckziegel (US 4,984,949) and Yang et al. (US 6,207,248 B1) to render the present invention anticipated or obvious to one of ordinary skill in the art.

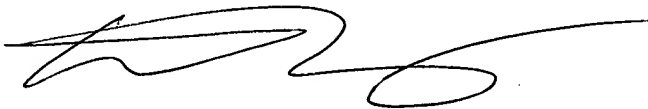
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William K Cheung whose telephone number is (703) 305-0392. The examiner can normally be reached on Monday-Friday 9:00AM to 2:00PM; 4:00PM to 8:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (703) 308-2450. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-5885 for regular communications and (703) 305-5885 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

A handwritten signature in black ink, appearing to read 'William K. Cheung', with a stylized, flowing script.

William K. Cheung

June 17, 2003